

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

ORDER  
07-CR-031

DARRYL S. SCOTT,  
Defendant.

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The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(A). On February 1, 2008, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendant's motion to suppress the evidence seized in this case be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. No objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendant's motion to suppress is denied.

The parties shall appear at 9:00 a.m. on April 4, 2008 for a meeting to set a trial date.

SO ORDERED.

*sl Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: April 3 , 2008